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intention of a testator, not only must his will be read as a whole, but the established rules of law as to the construction of wills are also to be considered.

[Ed. Note.—For other cases, see Wills, Cent. Dig. § 988; Dec. Dig. § 470.* 11 Va.-W. Va. Enc. Dig. 781. 14 Va.-W. Va. Enc. Dig. 1083.]

3. Wills (§ 600*)—Estates Created—Fee Simple—Absolute Power of Disposition.—When an estate is given, coupled with the absolute power of disposition, either express or implied, it comprehends everything, and the devisee takes the fee.

[Ed. Note.—For other cases, see Wills, Cent. Dig. §§ 1335-1339; Dec. Dig. § 600.* 11 Va.-W. Va. Enc. Dig. 826.]

Error to Circuit Court, Franklin County.

Ejectment by Etta Greer against Olivia Crutchfield and others. Judgment for plaintiff, and defendants bring error. Reversed, and remanded for new trial.

Samuel A. Anderson and L. W. Anderson, for plaintiffs in error.

W. J. Henson and Dillard & Lee, for defendant in error.

PETERS et al. v. WAVERLY WATER-FRONT IMPROVEMENT
& DEVELOPMENT CO. et al.

March 14, 1912.

[74 S. E. 168.]

1. Corporations (§ 439*)—Corporate Powers—Charter.—Where the charter of a corporation organized for the purpose of acquiring and disposing of water-front property provided that it should have power to sell real estate and generally do all other things necessary about the acquisition and selling of property, it had authority to sell all of its water-front property as a whole.

[Ed. Note.—For other cases, see Corporations, Cent. Dig. § 1774; Dec. Dig. § 439.* 3 Va.-W. Va. Enc. Dig. 557.]

2. Corporations (§ 320*)—Officers—Authority.—Minority stockholders cannot maintain a suit in equity to invalidate the action of the directors in selling and directing a conveyance of the entire corporate property, though in excess of their powers, but within the powers of the corporation, for such an act is only voidable and may be ratified by the stockholders, and, having been ratified, is binding on the corporation.

[Ed. Note.—For other cases, see Corporations, Cent. Dig. §§ 1426-1439; Dec. Dig. § 320.* 12 Va.-W. Va. Enc. Dig. 826, 829.]

*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.

3. Costs (§ 13*)—Persons Entitled to Costs.—In an action by minority stockholders to set aside an act of the directors ratified by a large majority of the stockholders of a corporation, it is improper where the bill is dismissed to impose any costs on defendants.

[Ed. Note.—For other cases, see Costs, Cent. Dig. §§ 21, 25; Dec. Dig. § 13.* 3 Va.-W. Va. Enc. Dig. 621.]

Appeal from Hustings Court of Portsmouth.

Bill by William H. Peters and others against the Waverly Water-Front Improvement & Development Company and others. From a decree dismissing the bill, complainants appeal. Modified and affirmed.

Garnett & Garnett, for appellants.

Williams & Tunstall, Watts & Hatton, and *James F. Wright*, for appellees.

*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.